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COMMONWEALTH OF VIRGINIA

STATE CORPORATION COMMISSION

AT RICHMOND, APRIL 23, 2001

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

CASE NO. PUE010013

Ex Parte: In the matter of
establishing rules for
retail access

ORDER SETTING HEARING AND PROCEDURAL SCHEDULE

On January 10, 2001, the State Corporation Commission ("Commission") issued an Order Establishing Procedural Schedule in the above-referenced matter directing its Staff to file a Staff Report and proposed retail access rules on or before March 6, 2001, and directing interested parties to file comments and requests for hearing on or before April 3, 2001.

By Order dated March 1, 2001, the Commission granted the Staff's request for an extension of time to file its Staff Report until March 13, 2001. The Staff filed its proposed rules on March 6, 2001, and its Report on March 13, 2001. By April 6, 2001, the Commission had received comments on the Staff's proposed rules from 18 interested parties, and one request for hearing from counsel for the Virginia Electric Cooperatives¹ (the "Cooperatives").

¹ The Virginia Electric Cooperatives include A&N Electric Cooperative, BARC Electric Cooperative, Central Virginia Electric Cooperative, Community Electric Cooperative, Craig-Botetourt Electric Cooperative, Mecklenburg Electric Cooperative, Northern Neck Electric Cooperative, Inc., Northern

All participants appear to agree that this proceeding should be expedited in order to allow sufficient time for system changes that may be required by these rules. We are advised by Staff that all parties agree that the hearing requested by the Cooperatives will be limited to their several issues. This will allow for a prompt and brief hearing that should enable the Commission to render a timely decision. We appreciate the cooperation of all parties. Further, each comment of each party will be considered carefully by the Commission, and the fact that a particular issue is not considered at the hearing does not lessen its importance or our consideration of that issue.

The Commission will hold a hearing on May 10, 2001. At the May 10, 2001, hearing, interested parties, including the Staff, may present evidence only on the following proposed rules, as specified in the Cooperatives' supplemental comments filed with the Commission on April 19, 2001: (1) 20 VAC 5-312-60 B 1, (2) 20 VAC 5-312-60 B 2, (3) 20 VAC 5-312-90 I 1, (4) 20 VAC 5-312-90 I 3, (5) 20 VAC 5-312-90 I 8 b, (6) 20 VAC 5-312-90 I 8 c, (7) 20 VAC 5-312-90 J 1, (8) 20 VAC 5-312-90 J 2, (9) 20 VAC 5-312-90 L, (10) 20 VAC 5-312-90 M, (11) 20 VAC 5-312-90 N, and (12) 20 VAC 5-312-90 O.

Virginia Electric Cooperative, Powell Valley Electric Cooperative, Prince George Electric Cooperative, Rappahannock Electric Cooperative, Shenandoah Valley Electric Cooperative, Southside Electric Cooperative, Inc., and the Virginia, Maryland & Delaware Association of Electric Cooperatives.

In addition, the Staff will revise its proposed rules based upon the comments received, and file its revised proposed rules prior to the hearing. After the hearing, interested parties, including the Staff, will have an opportunity to file comments on both the Staff's revised proposed rules and issues raised at the hearing, as well as any comments in response to those previously filed by other parties.

Accordingly, IT IS ORDERED THAT:

(1) A hearing for the purpose of receiving evidence on the Staff's proposed rules 20 VAC 5-312-60 B 1, 20 VAC 5-312-60 B 2, 20 VAC 5-312-90 I 1, 20 VAC 5-312-90 I 3, 20 VAC 5-312-90 I 8 b, 20 VAC 5-312-90 I 8 c, 20 VAC 5-312-90 J 1, 20 VAC 5-312-90 J 2, 20 VAC 5-312-90 L, 20 VAC 5-312-90 M, 20 VAC 5-312-90 N, and 20 VAC 5-312-90 O, is scheduled for May 10, 2001, at 10:15 a.m. in the Commission's second floor courtroom located in the Tyler building, 1300 East Main Street, Richmond, Virginia.

(2) On or before May 1, 2001, each interested party and Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony it expects to present on the above-referenced rules at the May 10, 2001, hearing, and shall mail one (1) copy of its testimony to all parties and the Staff by overnight delivery. The Commission requests that, in addition to overnight delivery, the parties attempt to either fax or e-mail their testimony on the date it is filed to all other parties on the service list.

(3) On or before May 7, 2001, each interested party and Staff shall file with the Clerk of the Commission an original and fifteen (15) copies of any testimony it expects to introduce in rebuttal to any direct prefiled testimony, and shall mail one (1) copy of its rebuttal testimony to all parties and the Staff by overnight delivery. The Commission requests that, in addition to overnight delivery, the parties attempt to either fax or e-mail their rebuttal testimony on the date it is filed to all other parties on the service list.

(4) The Staff shall revise its proposed rules based upon the comments received by the Commission and file its revised proposed rules on or before May 4, 2001.

(5) On or before May 21, 2001, each interested party and Staff shall file any comments on both the Staff's revised proposed rules and issues raised at the May 10, 2001, hearing, as well as any comments in response to those previously filed by other parties.